

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

STATE OF OKLAHOMA, et al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Case No. 05-cv-329-GKF-SH
	)	
TYSON FOODS, INC., et al.,	)	
	)	
Defendants.	)	

**STIPULATION REGARDING KATIE MENDOZA'S OFFER OF PROOF**

The State of Oklahoma ("the State") and Defendants, hereinafter collectively referred to as "the Parties," hereby submit this Joint Stipulation regarding the State's expert witness, Katie Mendoza.

The Parties agree that the State's expert report of Katie Mendoza, attached hereto as Exhibit 1, shall be accepted by the Court as the State's evidentiary proffer as to what Ms. Mendoza would have opined had she been allowed to testify at the evidentiary hearing.

The Parties agree that Defendants and Defendants' experts will not testify, rely upon, or otherwise attempt to introduce into evidence or elicit testimony regarding the Upper Illinois River Watershed ("UIRW") model, otherwise known as the Arkansas SWAT model, or the Arkansas Department of Agriculture, Upper Illinois River Watershed Management Plan, dated October 2024.

The Parties further agree that the National Pollutant Discharge Elimination System (NPDES) data for the years 2007 to 2020, attached hereto as Exhibit 2, shall constitute Ms. Mendoza's testimony regarding wastewater treatment plants in the Illinois River Watershed and shall be admitted into evidence without objection.



## EXHIBIT 2

Public National Pollutant Discharge Elimination System (NPDES) data for wastewater treatment plants in the IRW for the years 2007 to 2020

NPDES	2007	2008	2009	2010	2011	2012	2013
AR0050288	0	4,320	8,057	2,195	1,572	2,195	2,009
AR0033910	2	9	13	0	0	0	3
AR0043397	13,358	21,114	3,302	5,645	4,378	4,334	5,138
AR0022063	10,170	18,756	17,188	10,114	15,468	30,669	9,271
AR0050024	0	0	0	143	293	2,669	370
AR0022098	5,721	3,513	2,938	3,521	1,262	141	0
AR0020273	29,552	21,451	12,736	5,040	5,678	3,613	3,386
AR0020184	5,547	4,189	4,129	3,556	3,112	4,368	3,501
AR0035246	1,937	1,580	1,379	1,153	1,271	141	253
OK0028126	865	502	558	650	322	168	287
OK0026964	2,345	3,453	4,066	3,016	1,411	10,677	916
OK0030341	1,775	2,355	1,868	1,274	1,520	162	1,103
Annual Total	71,271	81,243	56,235	36,308	36,288	59,137	26,236

NPDES	2014	2015	2016	2017	2018	2019	2020
AR0050288	2,283	2,949	2,981	0	0	0	4,609
AR0033910	2	9	0	9	22	24	36
AR0043397	3,533	4,137	3,053	4,890	3,085	4,456	4,187
AR0022063	10,682	10,650	9,865	11,517	11,635	14,341	13,356
AR0050024	371	381	377	430	509	824	878
AR0022098	0	641	570	392	402	434	642
AR0020273	2,097	2,294	2,540	3,741	6,315	7,621	5,251
AR0020184	3,841	3,236	2,994	2,888	3,039	3,298	2,675
AR0035246	596	320	130	37	153	286	372
OK0028126	296	268	251	234	311	322	234
OK0026964	921	2,588	2,172	2,153	2,181	4,210	3,638
OK0030341	2,865	3,721	2,403	494	481	880	540
Annual Total	27,487	31,193	27,334	26,785	28,131	36,695	36,418